

# **EXHIBIT 19**



UNITED STATES PATENT AND TRADEMARK OFFICE  
UNDER SECRETARY OF COMMERCE FOR  
INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT  
AND TRADEMARK OFFICE  
Alexandria, Virginia 22313

CONTROL NUMBER	ORDER DATE	PATENT NUMBER	PATENTEE
90/006, 831	10-30-03	5,838,906	Doyle et al.

Townsend and Townsend and Crew, LLP  
Two Embarcadero Center  
Eight Floor  
San Francisco, CA 94111-3834

EXAMINER	
Caldwell, Andrew	
ART UNIT	PAPER NUMBER
2157	1

DATE MAILED: October 30, 2003

**DIRECTOR INITIATED ORDER FOR REEXAMINATION**

Attachment(s): ☒ PTO-892. ☐ PTO-1449.  
☐ Other: \_\_\_\_\_

Response Time For Patent Owner's Statement:

TWO MONTHS from the date hereof. 37 CFR 1.530(b).

Notes: If the patent owner does not file a timely statement under 37 CFR 1.530(b),  
reexamination will proceed in accordance with 37 CFR 1.550(a).

An identification of the claims, the references relied on, and the rationale  
of the decision to order reexamination is attached.

**REEXAMINATION ORDER:**

Pursuant to 37 CFR 1.520, reexamination is ordered. Note the attached decision.

**Ex Parte Reexamination Interview Summary**

Control No.

90/006,831

Patent Under Reexamination

5838906

Examiner

Andrew Caldwell

Art Unit

2151

All participants (USPTO personnel, patent owner, patent owner's representative):

(1) Andrew Caldwell

(3) \_\_\_\_\_

(2) Charles Krueger

(4) \_\_\_\_\_

Date of Interview: 16 March 2004Type: a) ☒ Telephonic b) ☐ Video Conferencec) ☐ Personal (copy given to: 1) ☐ patent owner 2) ☐ patent owner's representative)Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Any other agreement(s) are set forth below under "Description of the general nature of what was agreed to..."

Claim(s) discussed: N/A.Identification of prior art discussed: N/A.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims patentable, if available, must be attached. Also, where no copy of the amendments that would render the claims patentable is available, a summary thereof must be attached.)

A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION MUST INCLUDE PATENT OWNER'S STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. (See MPEP § 2281). IF A RESPONSE TO THE LAST OFFICE ACTION HAS ALREADY BEEN FILED, THEN PATENT OWNER IS GIVEN **ONE MONTH** FROM THIS INTERVIEW DATE TO PROVIDE THE MANDATORY STATEMENT OF THE SUBSTANCE OF THE INTERVIEW (37 CFR 1.560(b)). THE REQUIREMENT FOR PATENT OWNER'S STATEMENT CAN NOT BE WAIVED. **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).**

cc: Requester (if third party requester)



Examiner's signature, if required

Continuation of Description of the general nature of what was agreed to if an agreement was reached, or any other comments: On March 15, 2004, Mr. Krueger telephoned to request a personal interview to be held on April 27, 2004 at 2 p.m. On March 16, 2004, the Examiner called to confirm that the proposed interview date and time were acceptable. During the conversation, the Examiner reminded Mr. Krueger that reexaminations are to be conducted with special dispatch and then offered to conduct the interview at an earlier date. Mr. Krueger declined the offer.

The Examiner also requested that Mr. Krueger complete an Applicant Initiated Interview Request Form (PTOL-413A) and fax it to the Examiner by April 22, 2004.

Continuation Sheet

PATENT

Attorney Docket No.: 006-1-1

Client Reference No: 94-108-1

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re reexamination application of:

DOYLE et al.

Application No.: 90/006,831

Filed: October 30, 2003

For: DISTRIBUTED HYPERMEDIA  
METHOD FOR AUTOMATICALLY  
INVOKING EXTERNAL  
APPLICATION PROVIDING  
INTERACTION AND DISPLAY OF  
EMBEDDED OBJECTS WITHIN A  
HYPERMEDIA DOCUMENT

Examiner: Caldwell, A. T.

Art Unit: 2157

Interview Request Continuation Sheet

## BRIEF DESCRIPTION OF THE ARGUMENTS

## I. CLAIMS 1 AND 6.

## A. Scope of the claim

1. executable application is automatically invoked when embed text format is parsed by the browser in order to display the object and allow in-place interaction while the web page is being displayed.

## B. Exhibits

1. Animation of scope of claim 6.
2. Flow chart
3. Slides

## II. THE DISCLOSURE OF THE REFERENCES

## A. Applicant's admitted prior art (Mosaic browser application)

1. The browser application is utilized as a viewer to read HTML documents published on the World Wide Web.
2. The browser retrieves a published Web Page in response to a user's command and stores a local copy of the retrieved HTML page source files in a temporary cache.
3. There is no further interaction with the published source HTML document files after they are retrieved unless the user clicks the refresh button.
3. The browser parses the local copy of the HTML page to form a rendered image of the page which is displayed by the browser to the user.
4. The browser allows an author to use the IMG and FIG tags to embed, in a source HTML document, in-line graphic images which are treated as characters when the page is rendered.
5. The IMG and FIG tags include a src attribute that identifies an image data file external to the document that is retrieved by the browser and rendered into a static graphic image.

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☒

Approved for use through 10/31/2002. OMB 0551-0031

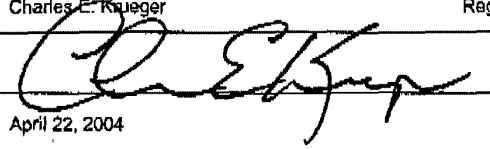
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

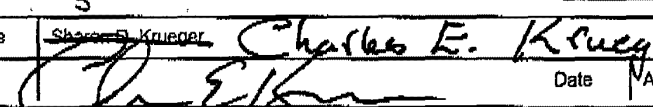
<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	<b>Application Number</b>	REX Control No. 90/006,831	
	<b>Filing Date</b>	10/30/2003	
	<b>First Named Inventor</b>	Michael D. Doyle	
	<b>Group Art Unit</b>	2151	
	<b>Examiner Name</b>	Andrew Caldwell	
<b>Total Number of Pages in This Submission</b>	5	<b>Attorney Docket Number</b>	006-1-1

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Applicant Initiated Interview Request Form
<b>Remarks</b> The Commissioner is authorized to charge any additional fees to Deposit Account 502267.		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

<b>Firm or Individual name</b>	Charles E. Krueger	<b>Reg No.</b> 30,077
<b>Signature</b>		
<b>Date</b>	April 22, 2004	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: <b>NOT MAILED; FAXED TO (703) 746-5507 ATTENTION EXAMINER ANDREW CALDWELL</b> April 22, 2004		
<b>Typed or printed name</b>	Charles E. Krueger	
<b>Signature</b>		<b>Date</b> April 22, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
SF 1244040 v1

PTOL-413A (08-03)  
Approved for use through 07/31/2008. OMB 0851-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## Applicant Initiated Interview Request Form

Reexamination Control No. \_\_\_\_\_  
Application No.: 90/006,831 First Named Applicant: Michael D. Doyle  
Examiner: A. Caldwell Art Unit: 2151 Status of Application: Reexamination of  
U.S. Patent No. 5,838,906

### Tentative Participants:

(1) Michael D. Doyle (2) Charles E. Krueger  
(3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: 4/27/04 Proposed Time: 2:00 (AM/PM)

### Type of Interview Requested:

(1) ☐ Telephonic (2) ☒ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☒ YES ☐ NO  
If yes, provide brief description: Computer animation and slides.

## Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>1 and 6</u>	<u>Applicants'</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	<u>admitted prior</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	<u>art, Berners-</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	<u>Lee, Raggett I</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<u>and Raggett II</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

### Brief Description of Arguments to be Presented:

See continuation sheet attached.

An interview was conducted on the above-identified application on \_\_\_\_\_.

### NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

\_\_\_\_\_  
(Applicant/Applicant's Representative Signature)

\_\_\_\_\_  
(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form call 1-800-PTO-9100 and select option 7

**Ex Parte Reexamination Interview Summary**

Control No.

90/006,831

Patent Under Reexamination

5838906

Examiner

Andrew Caldwell

Art Unit

2151

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pc  
5-5

All participants (USPTO personnel, patent owner, patent owner's representative):

(1) Andrew Caldwell(3) Charles Krueger

TC

(2) Michael Doyle(4) Pinchus Laufer, Elizabeth Dougherty (PTO)Date of Interview: 27 April 2004Type: a) ☐ Telephonic b) ☐ Video Conferencec) ☒ Personal (copy given to: 1) ☐ patent owner 2) ☒ patent owner's representative)Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.If Yes, brief description: See attachmentAgreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Any other agreement(s) are set forth below under "Description of the general nature of what was agreed to..."

Claim(s) discussed: 1 & 6.Identification of prior art discussed: Berners-Lee, Raggett I & II, and Mosaic.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Mr. Doyle presented the material in the attachment entitled "Interview with Examiner Andrew Caldwell April 27, 2004." It was agreed that a written response incorporating these arguments would be filed. Mr. Doyle also provided various definitions from the Microsoft Press Computer Dictionary, a copy of which is attached.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims patentable, if available, must be attached. Also, where no copy of the amendments that would render the claims patentable is available, a summary thereof must be attached.)

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cc: Requester (if third party requester)



Examiner's signature, if required



**Ex Parte Reexamination Interview Summary**

Control No.

90/006,831

Patent Under Reexamination

5838906

Examiner

Andrew Caldwell

Art Unit

2151

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All participants (USPTO personnel, patent owner, patent owner's representative):

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TC

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cc: Requester (if third party requester)



Examiner's signature, if required



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re reexamination application of:

DOYLE et al.

Application No.: 90/006,831

Filed: October 30, 2003

For: DISTRIBUTED HYPERMEDIA  
METHOD FOR AUTOMATICALLY  
INVOKING EXTERNAL  
APPLICATION PROVIDING  
INTERACTION AND DISPLAY OF  
EMBEDDED OBJECTS WITHIN A  
HYPERMEDIA DOCUMENT

Examiner: Caldwell, A. T.

Art Unit: 2151

Response

Commissioner for Patents

Sir:

In response to the Office Action mailed 03/12/2004, please consider the following remarks:

**REMARKS**

Claims 1-10 have been reexamined and are now pending in the application. Reexamination and reconsideration of all outstanding rejections and objections is requested.

Claims 1 and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over the admitted prior art in the U.S. Patent No. 5,838,906 ('906 patent) and the newly cited teachings of Berners-Lee, Raggett I, and Raggett II.

**Introduction**

Included with this response are Rule 132 Declarations by Professor Edward W. Felten, Professor of Computer Science at Princeton University ("Felten"), traversing the rejections of claims 1 and 6 of U.S. Patent No. 5,838,906 ("the '906 patent"), by Dr. Michael Doyle, one of the named inventors on the '906 patent ("Doyle"), stating facts relating to reactions by experts in the field at the time the technology recited in claims 1 and 6 of the '906 patent was introduced, and by Charles E. Krueger, attorney of record ("Krueger"), setting forth testimony from the Eolas v. Microsoft trial and other exhibits. References to these declarations will be made in the following arguments.

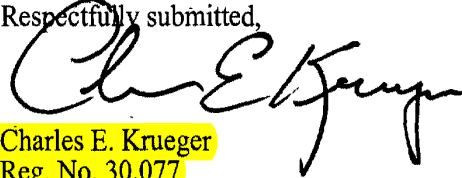
It is Applicants' position that the references referred to below as Raggett I and Raggett II are not publications according to 35 U.S.C. §102. However, for the purposes of the following arguments those references are being treated as if they were prior art.

### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this Application, please telephone the undersigned at (925) 944-3320.

Respectfully submitted,



Charles E. Krueger  
Reg. No. 30,077

LAW OFFICE OF CHARLES E. KRUEGER  
P.O.Box 5607  
Walnut Creek, CA 94596  
Tel: (925) 944-3320 / Fax: (925) 944-3363



05/11/04

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number

REX Control No. 90/006,831

Filing Date

10/30/2003

First Named Inventor

Michael D. Doyle

Group Art Unit

2151

Examiner Name

Andrew Caldwell

Total Number of Pages in This Submission

194

Attorney Docket Number

006-1-1

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☒ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53☐ Assignment Papers  
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition Routing Slip (PTO/SB/69)  
and Accompanying Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s)☐ After Allowance Communication to  
Group☐ Appeal Communication to Board of  
Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)  
(please identify below):1) DECLARATION OF EDWARD W.  
FELTEN2) DECLARATION OF MICHAEL D.  
DOYLE3) DECLARATION OF CHARLES E.  
KRUEGER

4) INTERVIEW SUMMARY 3/15-16/04

5) INTERVIEW SUMMARY 4/27/04

6) RETURN POSTCARD

Remarks

The Commissioner is authorized to charge any additional fees to  
Deposit Account 502267.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Charles E. Krueger

Reg No. 30,077

Signature

Date

May 10, 2004

## CERTIFICATE OF MAILING

DEPOSITED WITH FEDERAL EXPRESS 5/10/2004 FOR OVERNIGHT DELIVERY TO ANNETTE MASIELLO PATENT SERVICES, ARLINGTON, VA.; TO BE HAND-DELIVERED BY MASIELLO PATENT SERVICES TO THE CENTRAL REEXAMINATION UNIT (CRYSTAL PLAZA 3/4, ROOM 3D68, ARLINGTON, VA) ON 5/11/2004.

Typed or printed name

Sharon D. Krueger

5/10/04

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re reexamination application of:

DOYLE et al.

Application No.: 90/006,831

Filed: October 30, 2003

For: DISTRIBUTED HYPERMEDIA  
METHOD FOR AUTOMATICALLY  
INVOKING EXTERNAL  
APPLICATION PROVIDING  
INTERACTION AND DISPLAY OF  
EMBEDDED OBJECTS WITHIN A  
HYPERMEDIA DOCUMENT

Examiner: Caldwell, A. T.

Art Unit: 2151

Interview Summary

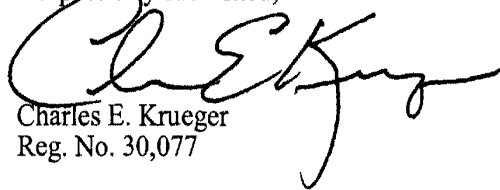
**OFFICE INTERVIEW OF APRIL 27, 2004**

Attending the interview representing the assignee and exclusive licensee were Dr. Michael D. Doyle, one of the inventors, and **Charles E. Krueger, the attorney of record**, and representing the Patent Office were Examiners A. Caldwell and P. Laufer and Ms. Elizabeth Dougherty from the Office of Patent Legal Administration.

The subject matter discussed related to the rejection of claims 1 and 6 over the Applicants' Admitted Prior Art, Berners-Lee, and Raggett I and II. The issues were discussed in connection with a set of slides which are attached hereto. Further, pages from the Microsoft Computer Dictionary, Third Addition, were left with Examiners. These pages are also attached to this interview summary. Examiner Caldwell stated that he would not make a decision on the allowability of the claims discussed until he had received a written submission.

Charles E. Krueger delivered the original copy of the January 28, 2004, letter from Mr. Peter Wong, Group Director, Technology Center 2100, Computer Architecture, Software, and information Security, forwarding the following attachments: October 24, 2003, letter from the Law Firm of Pennie and Edmunds representing the WWW; October 14, 2003, letter signed by in-house counsel of America Online, Macromedia, and Microsoft; October 15, 2003, letter from Adobe Systems; October 22, 2003, letter from the law firm of Sidley Austin; and a binder of attachments. The purpose of delivering the original copy and attachments was to assure that they were included in the file of U.S. Patent No. 5,838,906.

Respectfully submitted,



Charles E. Krueger  
Reg. No. 30,077

**LAW OFFICE OF CHARLES E. KRUEGER**

P.O.Box 5607

Walnut Creek, CA 94596

Tel: (925) 944-3320 / Fax: (925) 944-3363

WALNUT CREEK, CA 94596

15

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re reexamination application of:

DOYLE et al.

Application No.: 90/006,831

Filed: October 30, 2003

For: DISTRIBUTED HYPERMEDIA  
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Examiner: Caldwell, A. T.

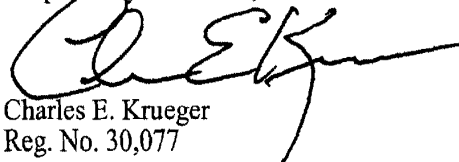
Art Unit: 2151

Interview Summary

TELEPHONE INTERVIEWS OF MARCH 15 AND 16

Charles E. Krueger called Examiner Caldwell on March 15, 2004, to reschedule the interview date and requested an interview on April 27, 2004. On March 16, Examiner Caldwell called Charles E. Krueger to confirm the April 27 date. Examiner Caldwell requested the an Applicant Initiated Interview Request Form (PTOL-413A) be completed with a continuation sheet summarizing the subject matter to be discussed at the interview. Examiner Caldwell also offered to conduct the interview at an earlier date and the offer was declined.

Respectfully submitted,



Charles E. Krueger  
Reg. No. 30,077

LAW OFFICE OF CHARLES E. KRUEGER  
P.O.Box 5607  
Walnut Creek, CA 94596  
Tel: (925) 944-3320 / Fax: (925) 944-3363

**Office Action in Ex Parte Reexamination**Control No.  
90/006,831Patent Under Reexamination  
5838906Examiner  
Andrew CaldwellArt Unit  
2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

- a ☒ Responsive to the communication(s) filed on 11 May 2004.      b ☐ This action is made FINAL.  
c ☐ A statement under 37 CFR 1.530 has not been received from the patent owner.

A shortened statutory period for response to this action is set to expire 2 month(s) from the mailing date of this letter. Failure to respond within the period for response will result in termination of the proceeding and issuance of an *ex parte* reexamination certificate in accordance with this action. 37 CFR 1.550(d). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).** If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

1. ☒ Notice of References Cited by Examiner, PTO-892.      3. ☐ Interview Summary, PTO-474.  
2. ☐ Information Disclosure Statement, PTO-1449.      4. ☐ \_\_\_\_\_.

**Part II SUMMARY OF ACTION**

- 1a. ☒ Claims 1-10 are subject to reexamination.  
1b. ☐ Claims \_\_\_\_\_ are not subject to reexamination.  
2. ☐ Claims \_\_\_\_\_ have been canceled in the present reexamination proceeding.  
3. ☐ Claims \_\_\_\_\_ are patentable and/or confirmed.  
4. ☒ Claims 1-10 are rejected.  
5. ☐ Claims \_\_\_\_\_ are objected to.  
6. ☐ The drawings, filed on \_\_\_\_\_ are acceptable.  
7. ☐ The proposed drawing correction, filed on \_\_\_\_\_ has been (7a) ☐ approved (7b) ☐ disapproved.  
8. ☐ Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the certified copies have  
1 ☐ been received.  
2 ☐ not been received.  
3 ☐ been filed in Application No. \_\_\_\_\_.  
4 ☐ been filed in reexamination Control No. \_\_\_\_\_.  
5 ☐ been received by the International Bureau in PCT application No. \_\_\_\_\_.  
\* See the attached detailed Office action for a list of the certified copies not received.  
9. ☐ Since the proceeding appears to be in condition for issuance of an *ex parte* reexamination certificate except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte* Quayle, 1935 C.D. 11, 453 O.G. 213.  
10. ☐ Other: \_\_\_\_\_

cc: Requester (if third party requester)



Art Unit: 2137

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**Claim Rejections - 35 USC § 103**

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

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obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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This application currently names joint inventors. In considering patentability of

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the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

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the various claims was commonly owned at the time any inventions covered therein

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were made absent any evidence to the contrary.

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**The Prior Art as Applied to Claims 1-10:**

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Berners-Lee, T., et al., Hypertext Markup Language (HTML),  
Internet Draft, IETF, pages 1-40, (June 1993).

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Raggett, D., HTML+ (Hypertext Markup Language), (July 23, 1993).  
Hereinafter referred to as "Raggett I."

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Raggett, D., Posting of Dave Raggett, dsr@hplb.hpl.hp.com  
towww-talk@nxocOl.cern.ch (WWW-TALK public mailing list),  
(Posted June 14, 1993). Hereinafter referred to as "Raggett II."

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Toye, G., et al., SHARE : A Methodology and Environment for  
Collaborative Product Development, Proceedings, Second  
Workshop on Enabling Technologies: Infrastructure for  
Collaborative Enterprises, 1993, IEEE, pp. 33-47, April 22, 1993.

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Art Unit: 2137

1        **Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the**  
2        **admitted prior art in the '906 patent and the teachings of Berners-Lee, Raggett I,**  
3        **Raggett II, and Towe.**

4  
5        Regarding claim 1 of the '906 patent, the admitted prior art teaches a portion of  
6        the claimed invention of claim 1 of the '906 patent, namely a method comprising:

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8        "providing at least one client workstation" (See USP '906: Figure 2, element  
9        130; Col. 4, Lines 32-40 which indicate that "small computer" 130 can be a  
10       client) "and one network server" (See USP '906: Figure 2, element 132)  
11       "coupled to a network environment" (See USP '906: Figure 2, element 100  
12       Internet), "wherein the network environment is a distributed hypermedia  
13       environment" (See USP '906: Col. 5 lines 24-25);

14  
15       "executing, at the client workstation, a browser application" (See USP '906: Col.  
16       3 lines 9-13), "that parses a first distributed hypermedia document to identify text  
17       formats included in the distributed hypermedia document and for responding to  
18       predetermined text formats to initiate processing specified by the text formats"  
19       (See USP '906: Col. 1, lines 1-Col. 3, line 51, with particular emphasis on  
20       Col. 2, line 63-Col. 3, line 25 showing a browser executing on client that  
21       parses and then displays a hypermedia document; where the user clicks on  
22       a link/image icon causing the browser to invoke a viewer application  
23       displaying the image in a separate window); and

24  
25       "utilizing the browser to display, on the client workstation, at least a portion of a  
26       first hypermedia document received over the network from the server, wherein  
27       the portion of the first hypermedia document is displayed within a first  
28       browser-controlled window on the client workstation." (See USP '906: Figure 1,  
29       element 10 as hypermedia document displayed on client; Col. 2 lines  
30       28-36).

31  
32       While the admitted prior art describes a method in which a hypermedia page  
33       (See USP '906: Figure 1, element 10) is displayed in a browser (See USP '906: Col.  
34       1, lines 1-Col. 3, line 51, particularly Col. 2, line 63-Col. 3, line 25), the admitted prior  
35       art does not teach, as in claim 1 of the '906 patent, the particular steps used by the  
36       browser in order to process and display the hypermedia page. To summarize, the  
37       admitted prior art does not teach a method wherein the browser application parses a  
38       first distributed hypermedia document to identify text formats included in the distributed  
39       hypermedia document and for responding to predetermined text formats to initiate  
40       processing specified by the text formats.

Handwritten: #1, 10-12-04, and a signature.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re reexamination application of:

DOYLE et al.

Application No.: 90/006,831

Filed: October 30, 2003

For: DISTRIBUTED HYPERMEDIA  
METHOD FOR AUTOMATICALLY  
INVOKING EXTERNAL  
APPLICATION PROVIDING  
INTERACTION AND DISPLAY OF  
EMBEDDED OBJECTS WITHIN A  
HYPERMEDIA DOCUMENT

Examiner: Caldwell, A. T.

Art Unit: 2151

Response

RECEIVED

OCT 1 2 2004

Technology Center 2100

Commissioner for Patents

Sir:

In response to the Office Action mailed 08/16/2004, please consider the following remarks:

**REMARKS**

Claims 1-10 have been reexamined and are now pending in the application. Reexamination and reconsideration of all outstanding rejections and objections is requested.

Claims 1 and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over the admitted prior art in the U.S. Patent No. 5,838,906 ('906 patent), the teachings of Berners-Lee, Raggett I, and Raggett II, and the newly cited teaching of Toye.

**Introduction**

Included with this response are a Rule 132 Declaration by Professor Edward W. Felten, Professor of Computer Science at Princeton University ("Felten II, signed October 6, 2004"), traversing the rejections of claims 1 and 6 of U.S. Patent No. 5,838,906 ("the '906 patent), the Rule 132 Declaration by Professor Felten submitted with the response filed May 10, 2004 ("Felten I, signed May 7, 2004"), and a Rule 132 Declaration by Robert J. Dolan, Dean at the University of Michigan Business School ("Dolan"). References to these declarations will be made in the following arguments.

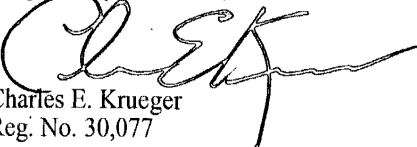
It is Applicants' position that the reference referred to below as Raggett II is not a publication according to 35 U.S.C. §102. However, for the purposes of the following arguments this reference is being treated as if it is prior art.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this Application, please telephone the undersigned at (925) 944-3320.

Respectfully submitted,

  
Charles E. Krueger  
Reg. No. 30,077

**LAW OFFICE OF CHARLES E. KRUEGER**

P.O.Box 5607

Walnut Creek, CA 94596

Tel: (925) 944-3320 / Fax: (925) 944-3363



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re reexamination application of:

DOYLE et al.

Application No.: 90/006,831

Filed: October 30, 2003

For: DISTRIBUTED HYPERMEDIA  
METHOD FOR AUTOMATICALLY  
INVOKING EXTERNAL  
APPLICATION PROVIDING  
INTERACTION AND DISPLAY OF  
EMBEDDED OBJECTS WITHIN A  
HYPERMEDIA DOCUMENT

Examiner: St. John Courtenay III.

Art Unit: 2194

Interview Summary

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**OFFICE INTERVIEW OF 18 AUGUST 2005**

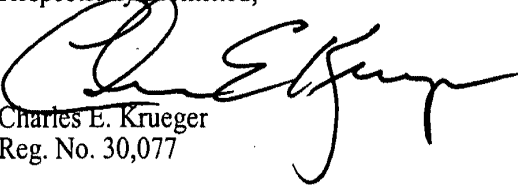
Attending the interview representing the assignee and exclusive licensee were Dr. Michael D. Doyle, one of the inventors, and **Charles E. Krueger, the attorney of record**, and representing the Patent Office were Examiners St. John Courtenay III and his Supervisor Mark Reinhardt.

The subject matter discussed related to the rejection of claims 1 and 6 over the Applicants' Admitted Prior Art, Berners-Lee, and Raggett I and II, and Toye. The issues were discussed in connection with a set of slides which are attached hereto. The cited, but not applied, reference Media Mosaic was also discussed.

The examiner stated that the OPLA was considering whether the Viola code, submitted by applicants in an IDS in the reexam proceeding, should be considered as a publication.

Dr. Doyle mentioned that his recollection was that there was trial testimony related to how the Viola code files were posted to an ftp server and then removed from the server after a person was supposed to have downloaded them. He then stated that OPLA should read the testimony itself to confirm what was said at trial.

Respectfully submitted,



Charles E. Krueger  
Reg. No. 30,077

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<b>Ex Parte Reexamination Interview Summary</b>	Control No.	Patent Under Reexamination	
	90/006,831	5838906	
	Examiner	Art Unit	
	St. John Courtenay III	3992	

All participants (USPTO personnel, patent owner, patent owner's representative):

- (1) St. John Courtenay III (3) Michael D. Doyle  
 (2) Mark Reinhart (4) Charles Krueger

Date of interview: 18 August 2005

Type: a) ☐ Telephonic b) ☐ Video Conference  
 c) ☒ Personal (copy given to: 1) ☐ patent owner 2) ☒ patent owner's representative)

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: Powerpoint presentation of Patent Owner's arguments.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Any other agreement(s) are set forth below under "Description of the general nature of what was agreed to..."

Claim(s) discussed: 1 and 6.

Identification of prior art discussed: Mosaic (APA), Berners-Lee, Raggett I & II, and Toye.

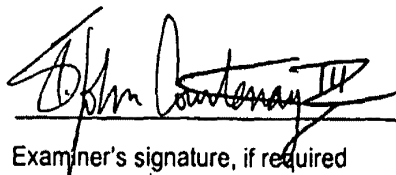
Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The Patent Owner presented a Powerpoint presentation summarizing the Patent Owner's arguments of record. The Examiner informed the patent owner that OPLA was reviewing the Viola code to determine if it should be considered as a prior art publication.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims patentable, if available, must be attached. Also, where no copy of the amendments that would render the claims patentable is available, a summary thereof must be attached.)

A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION MUST INCLUDE PATENT OWNER'S STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. (See MPEP § 2281). IF A RESPONSE TO THE LAST OFFICE ACTION HAS ALREADY BEEN FILED, THEN PATENT OWNER IS GIVEN **ONE MONTH** FROM THIS INTERVIEW DATE TO PROVIDE THE MANDATORY STATEMENT OF THE SUBSTANCE OF THE INTERVIEW (37 CFR 1.560(b)). THE REQUIREMENT FOR PATENT OWNER'S STATEMENT CAN NOT BE WAIVED. **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).**

ST. JOHN COURTENAY III  
 PRIMARY EXAMINER

  
 Examiner's signature, if required

cc: Requester (if third party requester)